

CHAITMAN LLP

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**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the
Liquidation of Bernard L. Madoff Investment
Securities LLC,

Plaintiff,

v.

HELENE SAREN-LAWRENCE

Defendant.

SIPA LIQUIDATION

Adv. Pro. No. 08-01789 (SMB)

(Substantively Consolidated)

Adv. Pro. No. 10-04898 (SMB)

Appeal No. _____

**DECLARATION OF HELEN DAVIS CHAITMAN
IN SUPPORT OF MOTION FOR LEAVE TO APPEAL AND FOR STAY PENDING
APPEAL**

I, Helen Davis Chaitman, hereby declare, pursuant to 28 U.S.C. §1746, as follows:

1. I am a partner with Chaitman LLP, counsel to Defendant Helene Saren-Lawrence (“Defendant”) and non-defendant James Lawrence (collectively, “Movants”). I am a member of the bars of New York and New Jersey, and of this Court.

2. I submit this declaration in support of Movants’ motion for leave to appeal the April 4, 2016 Order of the Bankruptcy Court (Bernstein, J.) (the “Order”) implementing the Bankruptcy Court’s March 23, 2016 bench ruling denying Movants’ motion to quash and for a protective order (ECF No. 63) and granting the Trustee’s motion to compel (ECF No. 57), and for a stay pending appeal.

3. Attached hereto as **Exhibit A** is a true and accurate copy of the Order.

4. Attached hereto as **Exhibit B** is a true and accurate copy of the subpoena *duces tecum* served on Valley National Bank (“Valley National”) demanding the unredacted and unlimited production of Defendant’s bank records from December 1, 1992 to December 11, 2008 (the “Subpoena”).

5. Attached as **Exhibit C** is a true and accurate copy of the Complaint in the adversary proceeding filed by the Trustee against Defendant (ECF No. 1).

6. Attached as **Exhibit D** is a true and accurate copy of Valley National’s response to the Subpoena with bank records produced.

7. Attached hereto as **Exhibit E** is a true and accurate copy of the Trustee’s February 2, 2016 Letter to the Bankruptcy Court representing that he “would hold the subpoenas for cases handled by Ms. Chaitman in abeyance for 30 days from the Trustee’s service of requests for admissions to provide the Defendants an opportunity to admit to the relevant transfers and relevant account activity.”

8. Attached hereto as **Exhibit F** is a true and correct copy of the February 11, 2016 hearing in which the Bankruptcy Court articulated the Trustee's agreement with regard to the Subpoena.

9. Attached hereto as **Exhibit G** is a true and accurate copy of Defendant's Objections and Amended Responses to Trustee's First Requests to Admit.

10. Attached hereto as **Exhibit H** is a true and correct copy of excerpts to the Declaration of Lisa Collura dated July 14, 2015.

11. Attached hereto as **Exhibit I** is a true and correct copy of excerpts of the Trustee's Memorandum of Law in Support of his Motion to Compel (ECF No. 58).

12. Attached hereto as **Exhibit J** is a true and correct copy of the March 23, 2016 hearing in which the Bankruptcy Court made its Bench Ruling.

Dated: April 15, 2016

/s/ Helen Davis Chaitman